

BRIEF OF APPELLANT*

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

[In The Supreme Court]

APPEAL FROM LEXINGTON COUNTY

Court of Common Pleas
Eugene C. Griffith, Circuit Court Judge

Case No. 2013-CP-32-02259

Chris Dorfler, Respondent,
v.
Faye M. Mathis, Appellant.

[INITIAL] BRIEF OF APPELLANT

Faye M. Mathis
252 Keegan Rock Ct
Lexington, SC 29073, ProSe
803-479-6760

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APR 03 2014

SC Court of Appeals

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Arguments.....5

 1. Parties had reached an agreement, and appellant dismissed the appeal.

 2. Same presiding judge who dismissed previous and similar case but did not remand back to magistrate to commence ejectment. Instead, judge contradicted previous ruling where he did not allow respondent to continue with ejectment but advised that he must start new proceedings.

Conclusion.....5

NOTICE OF APPEAL

Faye M. Mathis appeals the order [judgment] of the Honorable Eugene C. Griffith dated September 11, 2000.

Appellant hereby files a motion with the Court of Appeals for a stay of ejection and is seeking relief from the district court's decision granting an ejection. Appellant has received notification of pending ejection at any time.

Appellant did not receive written notice of entry of this order by mail. Appellant received notice of this order upon visiting and reviewing file documents at court house on September 24, 2000 and by obtaining order from court house files. An error was made by clerk when addresses of the parties were switched (form attached showing switched addresses).

September 26, 2013

Appellant,

Faye M. Mathis
Faye M. Mathis

252 Keegan Rock Court

Lexington, SC 29073

(803) 479-6760

SEP 26 2013

SC Court of Appeals

ISSUES ON APPEAL

1. Did the circuit court judge incorrectly rule on appellant's motion to reconsider without granting a hearing?
2. Did the circuit court judge incorrectly rule on appellant's motion to reconsider which sent case back to magistrate's court to allow commencing of ejection?
3. Did the circuit court judge incorrectly issue Form 4 to allow magistrate to go forth with ejection; thus acting improperly?
4. Did the circuit court judge reverse his own decision made in a similar earlier case under same circumstances? In previous case, case was dismissed. In this case, judge allowed ejection to commence.
5. Did the circuit court error by not notifying appellate of circuit court judge's decision due to the fact that the clerk inaccurately addressed notices as evidenced by the switching of names on court the notification form.

FACTS OF THE CASE

The appellant, Faye Mathis, filed an appeal from the magistrate's court to Court of Common Pleas on July 3, 2013. A bond hearing was held on July 11, 2013 by Judge Thomas Rawl and a bond set of \$1,450. In addition, magistrate ordered appellant to pay monthly rent to court.

On September 5, 2013 in the Court of Common Pleas, the appellant withdrew her appeal because the parties had reached an agreement. However, the magistrate was notified and began ejection procedures.

On September 6, a Writ of Ejection was issued and signed by Judge Arthur Myers. Lexington County Sheriff's Department served the Writ of Ejection giving appellant until September 7, 2013 at 6:30p.m. to move.

On September 6, 2013 the appellant filed a Motion to Reconsider with the Judge Russo, Circuit Court (as told by clerk) to request a court date.

On September 11, 2013, Judge Griffith ruled and sent Form 4 back to magistrate to (again) begin ejection proceedings without respect to a previous and same case, where the parties reached an agreement and the case was dismissed with no further action being allowed by the magistrate.

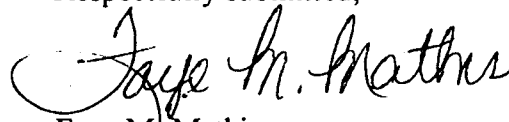
ARGUMENT

- I. Parties had reached an agreement, and appellant dismissed the appeal.
- II. Also, same judge dismissed previous and similar case and did not remand back to magistrate to commence ejectment. Instead judge ruled that the case was ended and respondent could not continue with ejectment.
- III. Appellant was never given a court date to argue Motion to Reconsider.

CONCLUSION

For the reasons stated, this Court should reverse the judgment of the Court of Common Pleas and permanently stay the pending ejectment. Appellant pray upon the court to grant motion to permanently stay ejectment.

Respectfully submitted,


Faye M. Mathis

252 Keegan Rock Court

Lexington, South Carolina 29073

803.479.6760

PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

[In The Supreme Court]

APPEAL FROM LEXINGTON COUNTY

Court of Common Pleas

Honorable Eugene C. Griffith, Circuit Court Judge

Case No. . 2013-CP-32-02259

Faye M. Mathis

Appellant,

v.

Chris Dorfler,

Respondent.

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SC Court of Appeals

SEP 26 2013

SEP 26 2013

SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Notice of Appeal by personally delivering a copy
to the following:

1. Beth Carrigg , Lexington County Clerk of Court
Lexington County Courthouse
205 East Main Street
Lexington, SC 29072

2. Honorable Eugene C. Griffith, Circuit Court Judge
Lexington County Courthouse
205 East Main Street
Lexington, SC 29072

3. Honorable Arthur Myers, Lexington County Magistrate
139 East Main Street
Lexington, SC 29072

4. Honorable Walter Rawl, Lexington County Magistrate
139 East Main Street
Lexington, SC 29072

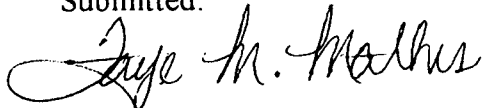
5. Chris Dorfler, Respondent
132 Moontide Court
Lexington, SC 29072

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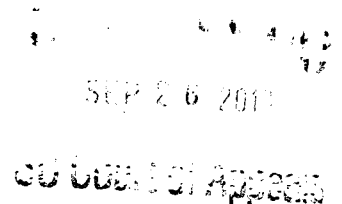
SC Court of Appeals

Submitted:



Faye M. Mathis
252 Keegan Rock Court
Lexington, SC 29073

September 26, 2013



**IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

D. Garrison Hill, Circuit Court Judge

Case No. 2012-CP-23-02379

Frankie Orr,Respondent,

v.

Greenville Hospital System,Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that, on the date indicated below, he served counsel for the Respondent with a copy of the Record on Appeal by mailing a copy of the same by United States Mail with first class postage prepaid to the following address:

Randall L. Chambers
Chambers Law Firm
804 Laurens Road
Greenville, SC 29607
(864) 298-0001

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MAY 27 2014

Respectfully submitted,



Kenneth N. Shaw, S.C. Bar # 77859
J. Ben Alexander, S.C. Bar # 15323

HAYNSWORTH SINKLER BOYD, P.A.
ONE North Main, 2nd Floor (29601)
Post Office Box 2048
Greenville, South Carolina 29602
(864) 240-3200

Attorneys for Appellant
Greenville Hospital System

Dated: 5/23/14
Greenville, SC

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas**

D. Garrison Hill, Circuit Court Judge

Case No(s): 2012-CP-23-2379

Frankie Orr

Respondent.

V.

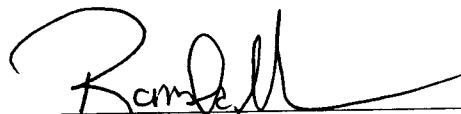
Greenville Hospital System

Appellant.

PROOF OF SERVICE

I certify that I have served Respondent's Designation of Matter upon Greenville Hospital System by depositing a copy of it in the United States Mail, postage paid, on May 26, 2014, addressed to its attorney of record, Kenneth P. Shaw, Post Office Box 2048, Greenville, SC 29602.

Date: May 26, 2014



Randall L. Chambers, Esquire
804 Laurens Road
Greenville, SC 29607
Attorney for Respondent

Other Counsel of Record:
Kenneth N. Shaw, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
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Attorney for Appellant

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MAY 26 2014

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas**

D. Garrison Hill, Circuit Court Judge

Case No(s): 2012-CP-23-2379

Frankie Orr

Respondent.

V.

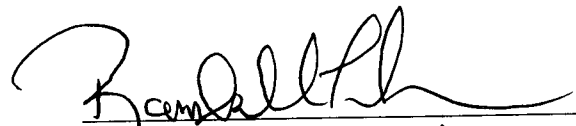
Greenville Hospital System

Appellant.

CERTIFICATE OF COUNSEL

The undersigned certifies that Respondent's previously submitted Designation of Matter contained no matter that was irrelevant to the appeal.

Date: May 26, 2014



Randall L. Chambers, Esquire
804 Laurens Road
Greenville, SC 29607
Attorney for Respondent

Other Counsel of Record:
Kenneth N. Shaw, Esquire
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SC Court of Appeals